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PER L.R. IA 11-1(b)

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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

BANK OF AMERICA, N.A.,

Plaintiff,

vs.

NORTH AMERICAN TITLE INSURANCE  
COMPANY. DOE INDIVIDUALS I through  
X; and ROE CORPORATIONS XI through  
XX, inclusive,

Defendants.

Case No.: 2:21-cv-00313

**NORTH AMERICAN TITLE  
INSURANCE COMPANY'S PETITION  
FOR REMOVAL**

**TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEVADA:**

**PLEASE TAKE NOTICE** that defendant North American Title Insurance Company (“North American”) hereby removes the instant action to the United States District Court for the District of Nevada (the “District Court”), from Nevada’s Eighth District Court in and for Clark County (the “State Court”), pursuant to 28 U.S.C. §§ 1332, 1441(b) and 1446.

1. Plaintiff Bank of America, N.A. as Successor by Merger to BAC Home Loans Servicing, LP (“Bank of America”) first filed this action on February 23, 2021 in the State Court. Bank of America originally named as a defendant North American. A true and correct copy of the

1 Complaint is attached hereto as **EXHIBIT ONE**.

2           2.       This Court has jurisdiction over the instant action pursuant to 28 U.S.C. § 1332(a)  
3 because: (i) this action is a civil action pending within the jurisdiction and territory of the United  
4 States District Court for the District of Nevada; (ii) the action is between citizens of different  
5 states; (iii) the amount in controversy exceeds the sum of \$75,000, exclusive of interest and costs;  
6 and (iv) all procedural requirements for removal are met.

7           3.       ***There is Complete Diversity of Citizenship Here.*** A corporation is a citizen of the  
8 state where it is incorporated and the state where its principal place of business is located. 28  
9 U.S.C. § 1332(c)(1). Bank of America alleges that North American is a California corporation  
10 with its principal place of business in Florida. (Compl. ¶ 2.) Thus, it is a citizen of California and  
11 Florida. Bank of America has alleged that it is a national banking association chartered under the  
12 laws of the United States with its main office in the state of North Carolina. (Compl. ¶ 1.) It is  
13 therefore a North Carolina citizen for purposes of diversity of citizenship. *Wachovia Bank v.*  
14 *Schmidt*, 546 U.S. 303, 319 (2006) (national bank association is citizen of the state where its main  
15 office is located). Thus, there is complete diversity of citizenship between and among the parties.

16           4.       ***The Amount in Controversy Exceeds \$75,000.*** The complaint in this action seeks  
17 both monetary and nonmonetary relief. Bank of America contends it is suing on six insurance  
18 policies in a total amount of \$1,174,724.00, and that it is seeking both attorney's fees and punitive  
19 damages. Thus, the amount in controversy exceeds the jurisdictional minimum of the District  
20 Court.

21           5.       ***North American Timely Filed This Notice of Removal.*** This action was filed one  
22 day ago. Thus, there can be no dispute that North American timely filed the instant notice of  
23 removal (i.e., within the 30-day period prescribed by 28 U.S.C. § 1446(b)(1), and less than one  
24 year after the action was initiated, as required by 28 U.S.C. § 1446(c)(1)).

25           6.       ***Notice to the State Court and All Adverse Parties.*** North American will give  
26 notice of this removal to all adverse parties in the action and to the State Court promptly after the  
27 filing of the instant Notice of Removal, in compliance with the requirements of 28 U.S.C. §  
28 1446(d).

1           7.       *All Pleadings from the State Court Action Have Been Attached.* The only  
2 pleadings from the State Court Action are attached hereto as **EXHIBITS ONE** and **TWO**.

3           8.       *This Notice Complies with Fed. R. Civ. P. 11.* This Notice of Removal is hereby  
4 signed pursuant to Fed. R. Civ. P. 11(a).

5           9.       Accordingly, as North American has complied with all applicable terms of 28  
6 U.S.C. § 1446, it hereby removes this action in intervention from the State Court to the District  
7 Court, and it hereby requests that further proceedings be conducted in the District Court as  
8 provided by law.

9  
10 Dated: February 24, 2021

SINCLAIR BRAUN LLP

11  
12 By: /s/-Kevin S. Sinclair  
13 KEVIN S. SINCLAIR  
14 Attorneys for Defendant  
15 NORTH AMERICAN TITLE INSURANCE  
16 COMPANY  
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